



KANSAS SENTENCING COMMISSION

2006 REPORT TO THE KANSAS LEGISLATURE

FEBRUARY, 2006

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Introduction

The Kansas Sentencing Commission is established and has its duties and obligations assigned by statute (K.S.A. 74-9101). **Section I** of this report presents the text of our enabling legislation including tasks and directives aimed at the implementation of a sentencing guidelines system and those aimed at monitoring and reporting on the system of determinate sentencing. Summarizing the statutory obligation of the commission is the Agency's Mission statement, also contained in this section.

The Sentencing Commission, in conjunction with the Department of Corrections, has focused efforts on the effective implementation of 2003 SB 123 since its passage in April 2003. **Section II** of this report presents a status update on this program. As this program has passed eighteen months post-implementation, an evaluation is underway. This evaluation is focused as an implementation evaluation and concentrates on how the implementation was carried out and examines the processes in place. This evaluation, a Program Implementation Evaluation, is being conducted by the Vera Institute of Justice, given the involvement of the Commission staff and the Department of Corrections staff in its implementation.

K.S.A. 74-9101(b) (15) directs the Kansas Sentencing Commission to produce official inmate population projections annually. In **Section III** of this report, a brief narrative is presented along with the official 2006 adult prison population projections.

Section IV reports on the present status regarding the cooperative efforts underway between the Commission staff and staff of the Kansas Juvenile Justice Authority with regard to development of JJA incarcerated population projections.

Since November 2002, the Sentencing Commission has been working with Johnson County on a Risk/Needs pilot project between Court Services and Community Corrections. This pilot project focuses on the interdepartmental deployment of a standardized risk/needs assessment tool with the ultimate goal being deployment statewide. This project was placed into the FY 2002 Appropriations bill and, although the Proviso was removed prior to passage of the 2002 Appropriations bill, the Commission still believes this is an important project. To facilitate its progress, technical assistance grants have been sought, received, and expended. **Section V** briefly discusses the direction of this project.

Finally, Section VI reflects on projects underway presently which hold the potential to change the environment within which we operate presently and, therefore, present opportunities for longer-term system refinement and change. Discussed in this section are the increased responsibilities placed on Commission staff and the need for additional staffing and physical space to accommodate such staff.

Section I: Enabling Legislation: Agency Mission Statement

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES Article 91.--SENTENCING COMMISSION

74-9101. Kansas sentencing commission; establishment; duties. (a) There is hereby established the Kansas sentencing commission.

(b) The commission shall:

(1) Develop a sentencing guideline model or grid based on fairness and equity and shall provide a mechanism for linking justice and corrections policies. The sentencing guideline model or grid shall establish rational and consistent sentencing standards which reduce sentence disparity, to include, but not be limited to, racial and regional biases which may exist under current sentencing practices. The guidelines shall specify the circumstances under which imprisonment of an offender is appropriate and a presumed sentence for offenders for whom imprisonment is appropriate, based on each appropriate combination of reasonable offense and offender characteristics. In developing its recommended sentencing guidelines, the commission shall take into substantial consideration current sentencing and release practices and correctional resources, including but not limited to the capacities of local and state correctional facilities. In its report, the commission shall make recommendations regarding whether there is a continued need for and what is the projected role of, if any, the Kansas parole board and whether the policy of allocating good time credits for the purpose of determining an inmate's eligibility for parole or conditional release should be continued;

(2) consult with and advise the legislature with reference to the implementation, management, monitoring, maintenance and operations of the sentencing guidelines system;

(3) direct implementation of the sentencing guidelines system;

(4) assist in the process of training judges, county and district attorneys, court services officers, state parole officers, correctional officers, law enforcement officials and other criminal justice groups. For these purposes, the sentencing commission shall develop an implementation policy and shall construct an implementation manual for use in its training activities;

(5) receive presentence reports and journal entries for all persons who are sentenced for crimes committed on or after July 1, 1993, to develop post-implementation monitoring procedures and reporting methods to evaluate guideline sentences. In developing the evaluative criteria, the commission shall take into consideration rational and consistent sentencing standards which reduce sentence disparity to include, but not be limited to, racial and regional biases;

(6) advise and consult with the secretary of corrections and members of the legislature in developing a mechanism to link guidelines sentence practices with correctional resources and policies, including but not limited to the capacities of local and state correctional facilities. Such linkage shall include a review and determination of the impact of the sentencing guidelines on the state's prison population, review of corrections programs and a study of ways to more effectively utilize correction dollars and to reduce prison population;

(7) make recommendations relating to modification to the sentencing guidelines as provided in

K.S.A. 21-4725 and amendments thereto;

(8) prepare and submit fiscal impact and correctional resource statement as provided in K.S.A. 74-9106 and amendments thereto;

(9) make recommendations to those responsible for developing a working philosophy of sentencing guideline consistency and rationality;

(10) develop prosecuting standards and guidelines to govern the conduct of prosecutors when charging persons with crimes and when engaging in plea bargaining;

(11) analyze problems in criminal justice, identify alternative solutions and make recommendations for improvements in criminal law, prosecution, community and correctional placement, programs, release procedures and related matters including study and recommendations concerning the statutory definition of crimes and criminal penalties and review of proposed criminal law changes;

(12) perform such other criminal justice studies or tasks as may be assigned by the governor or specifically requested by the legislature, department of corrections, the chief justice or the attorney general;

(13) develop a program plan which includes involvement of business and industry in the public or other social or fraternal organizations for admitting back into the mainstream those offenders who demonstrate both the desire and ability to reconstruct their lives during their incarceration or during conditional release;

(14) appoint a task force to make recommendations concerning the consolidation of probation, parole and community corrections services;

(15) produce official inmate population projections annually on or before six weeks following the date of receipt of the data from the department of corrections. When the commission's projections indicate that the inmate population will exceed available prison capacity within two years of the date of the projection, the commission shall identify and analyze the impact of specific options for (A) reducing the number of prison admissions; or (B) adjusting sentence lengths for specific groups of offenders. Options for reducing the number of prison admissions shall include, but not be limited to, possible modification of both sentencing grids to include presumptive intermediate dispositions for certain categories of offenders. Intermediate sanction dispositions shall include, but not be limited to: intensive supervision; short-term jail sentences; halfway houses; community-based work release; electronic monitoring and house arrest; substance abuse treatment; and pre-revocation incarceration. Intermediate sanction options shall include, but not be limited to, mechanisms to explicitly target offenders that would otherwise be placed in prison. Analysis of each option shall include an assessment of such options impact on the overall size of the prison population, the effect on public safety and costs. In preparing the assessment, the commission shall review the experience of other states and shall review available research regarding the effectiveness of such option. The commission's findings relative to each sentencing policy option shall be presented to the governor and the joint committee on corrections and juvenile justice oversight no later than November 1; and

(16) at the request of the governor or the joint committee on corrections and juvenile justice oversight, initiate and complete an analysis of other sentencing policy adjustments not otherwise evaluated by the commission.

History: L. 1989, ch. 225, § 1; L. 1992, ch. 239, § 284; L. 1993, ch. 291, § 246; L. 1997, ch. 179, § 4; July 1.

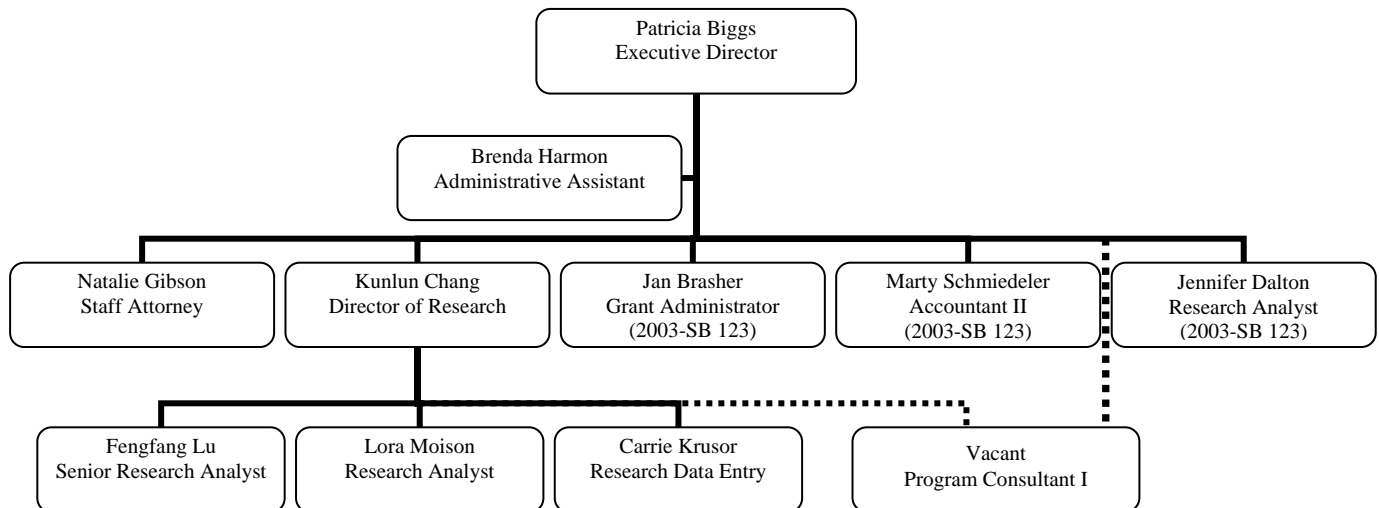
Commission Membership:

Commission membership is defined in K.S.A. 74-9102. Presently, the membership is comprised as follows:

Chief Justice/Designee	Hon. Christel Marquardt
2 District Court Judges appointed by the Chief Justice	Hon. Ernest L. Johnson, Chairman Hon. Larry T. Solomon
Attorney General/Designee	Eric K. Rucker (Kevin Graham)
Public defender appointed by the Governor	Rick A. Kittel
Private defense counsel appointed by the Governor	Kathleen M. Lynch
County Attorney/District Attorney appointed by the Governor	Paul J. Morrison, Vice Chairman
Secretary of Corrections	Sec. Roger Werholtz
Kansas Parole Board Chair	Marilyn Scafe
2 general public member appointed by the Governor	Pastor Junius Dotson Dale Finger
Community Corrections Director appointed by the Governor	Annie E. Grevas
Court Services Officer appointed by the Chief Justice	Chris A. Mechler
Four members of the Legislature • <i>As appointed by: president of the senate, minority leader of the senate, speaker of the house of representatives and minority leader of the house of representatives.</i>	Senator Greta H. Goodwin Representative Janice L. Pauls Senator John L. Vratil Representative Kevin Yoder

Agency Mission: To develop post-implementation monitoring procedures and reporting methods to evaluate guideline sentences; to advise and consult with the secretary of corrections and members of the legislature in developing a mechanism to link guidelines sentence practices with correctional resources and policies, which includes review and determination of the impact of the sentencing guidelines on the state's prison population; to consult with and advise the legislature with reference to implementation, management, monitoring, maintenance and operations of the sentencing guidelines system; and to make recommendations to the legislature relating to modification and improvement of the sentencing guidelines.

Agency Staff



In addition to the Sentencing Commission duties and responsibilities contained within K.S.A. 74-9101, staff of the Commission also are responsible for several duties related to 2003-SB 123 – the alternative sentencing policy for non-violent drug possession offenders – whereby certain offenders convicted of drug possession are sentenced to community-based supervision and treatment. Some of these additional duties include:

- The Sentencing Commission functions as the centralized payment center for treatment services delivered to these offenders
- The Sentencing Commission collects data and measurement regarding the addiction/dependence level demonstrated by these offenders at three distinct points in time (1) prior to the start of treatment, (2) at the conclusion of treatment under this sentence, (3) six-months following treatment completion.
- The Sentencing Commission works in close cooperation with the Kansas Department of Corrections in several operational aspects related to SB 123 which includes, but is not limited to:
 - Data collected and recorded by Community Corrections officers and input into the Department of Corrections' data base. Such data is geared to enabling future evaluative efforts as well as documenting the progress of individual offenders during their Community Corrections supervision.
 - Working with Department of Corrections Community Corrections staff to operationalize the provisions of community supervision under SB 123.
 - Working with Department of Corrections Programs staff to operationalize the provisions of community-based treatment, inclusive of cognitive-behavioral elements for SB 123 sentenced offenders.
- The Sentencing Commission also is responsible for periodic evaluations of the SB 123 program. Such evaluations occur at :
 - 18-months following implementation
 - This evaluation is underway currently and focuses on an assessment of the efficacy of program implementation. As the Commission staff were involved substantially with the program's implementation, this evaluation has been out-sourced to maintain maximum objectivity.
 - 36 months following implementation
 - This evaluation will expand on the implementation evaluation and shall include process measurement and preliminary outcome measurements.
 - And 60 months following implementation

- This evaluation will expand on the process (output) measures reported at 36 months and will more expansively and comprehensively cover the output (effectiveness) measures.
 - The Sentencing Commission also produces and presents routine status updates regarding the program
- And,
- is responsible for the budgetary aspects related to treatment under the 2003-SB 123 program.

The two-year post-implementation status of this program is relayed in the following section.

II. Report on 2003-SB 123 Present Status

H Sub for SB 123 was signed into law by the Governor in April, 2003 and sets mandatory treatment for a target population of offenders convicted of the offense of drug possession. The alternative sentencing policy structure necessitated changes to the state's sentencing policies and required the development and implementation of policies and procedures to enact 2003-SB 123 by the designated implementation date of November 1, 2003.

The Sentencing Commission and the Department of Corrections have, and continue to, work closely in carrying out the tasks necessary for first the implementation, and now for the continued refinement and operation, of the requirements set forth in this legislation. Through out the process, input from various stakeholders has been solicited (for example, from treatment providers, mental health professionals, and community corrections programs) and models of other agencies' similar sub-processes have been considered (for example, Juvenile Justice Administration's bill paying process). An evaluation of the implementation processes is underway presently and has been outsourced to the Vera Institute of Justice. Outsourcing the evaluation of the implementation was considered necessary to facilitate a non-biased evaluation since both the Department of Corrections and the Sentencing Commission played pivotal roles in the implementation process.

Included in this section is a summary table highlighting the major milestones achieved in implementing SB 123. Following this table, there is a "current status" report covering outputs generated during a full two years' implementation of the 2003-SB 123 program – that is, it reports program measures from November 1, 2003 through October 31, 2005. Four major categories of outputs are considered in the following sections:

1. Sentencing Activity measures related to cases sentenced under SB 123 provisions,
2. Measures of offender risk of reoffense as represented by the employment of the Level of Services Inventory-Revised © ("LSI-R©"),
3. Substance abuse interventions employed by community corrections intensive supervision officers for those offenders who received a SB 123 case or were sent for a SB 123 risk and substance addiction assessments by the court at the presentence stage, and
4. A reporting of payments made by the Kansas Sentencing Commission for assessment and treatment services for offenders with SB 123 convictions or SB 123 presentence assessment referrals based on date of service rendered.

TIMELINE OF SELECTED EVENTS SB 123 IMPLEMENTATION

SB 123 Passes	April 2003
Implementation Planning Committee Meets	June, July 2003
Begin "Thinking for a Change" training (required for treatment certification)	June 16, 2003
Bill Payment Process moves from a local-level function to a state-level function under Sentencing Commission	August 2003
Draft Implementation Manual	August-September 2003

Community Corrections Supervision and Treatment Plans due to the Sentencing Commission	September 1, 2003
Devise Forms (e.g., Monthly Report/Progress forms, Invoice Forms, etc.)	September-October 2003
Present SB 123 Implementation Training Session across the state	September 30-October 21, 2003
Community Corrections officers trained in the administration of Level of Services Inventory-Revised ("LSI-R") the risk assessment tool to be used on SB 123 offenders	September – October 2003
Computer programming begins to reflect necessary changes in data collection by Community Corrections officers for SB 123 offenders (Total Offender Activity Documentation System – "TOADS")	September – November 2003
Treatment Integration Plans due to KDOC for review to obtain certification necessary to treat SB 123 offenders	October 15, 2003
Review of Community Corrections Supervision and Treatment Plans by Sentencing Commission	October 15, 2003
SASSI-3 Training held (required tool for treatment providers to obtain certification to deliver services under SB 123)	October 17, 2003
Addition Severity Index training held (required tool for treatment providers to obtain certification to deliver services under SB 123)	October 20, 2003
Reproduce and distribute the SB 123 Implementation Manual to stakeholders across the state; post the Implementation Manual on the Sentencing Commission Web site	October 2003
Supervision Fund Payments authorized for release to Community Corrections agencies	October 30, 2003
Create Database to track and process invoices received by KSC for payment	October – November 2003
Certified Treatment Programs identified by KDOC and included in Community Corrections' intervention database	November 1, 2003 (and ongoing)
SB 123 Implemented: On Target	
November 1, 2003	

Prison Population Projections Revised to reflect SB 123 for offenders with a qualifying offense on/after July 1, 2003 and sentenced on/after November 1, 2003	November 10, 2003
First Invoice for Payment of SB 123 services received and processed by Sentencing Commission	December 3, 2003
First Payment for service mailed to treatment provider	December 10, 2003
Quarterly Update Conferences	February 2004 April 2004 September 2004
Insurance Agreements required of Treatment Providers to maintain certification	March 2004
Refine requirements to Invoice Payments database	May-October 2004
Reconvene the Implementation Group for developments and discussion	Oct. 20, 2004 Dec. 2, 2004 Jan. 28, 2005
Mandatory Meeting of SB 123 certified providers regarding the integration of cognitive behavioral tools and methods into all treatment protocols	January 2005
Survey of treatment providers regarding present capacity, experienced capacity expansion or anticipated capacity expansion attributable to funds infused from SB 123	Completed March 2005
Develop FY 2007 treatment budget & FY 2006 supplemental request	Summer 2005 through Legislative Session 2006
18 month post-implementation evaluation specified and contracted; Data files specified, cross-state focus groups with stakeholders held	Summer 2005 – Fall 2005
18 month evaluation – results generated, report written	Winter 2006 (on going currently)
Update Conferences Resume	August, 2005, December 2005 May 2006
Cost containment rules developed, adopted, and become effective	November, 2005 January 1, 2006
Redraft of Implementation Manual, now an Operational Manual.	June, 2005 – February 2006

Monitor Progress	On-going
Monitor Processes	On-going
Answer questions regarding operationalization of SB 123 requirements	On-going

MAJOR HIGHLIGHTS AND PRESENT STATUS BY SUBSTANTIVE AREA

Sentencing Activity

Number of Cases

Between the effective date of 2003-SB 123 and October 31, 2005, a total of 2653 SB 123 related cases were processed by the courts. These 2653 cases are attributable to 2454 unique offenders. Of this offender pool of 2454, 181 offenders have two SB 123 cases and 18 have more than two SB 123 cases. Some of the offenders with multiple cases have their cases running concurrently.

The 2653 cases represent both those cases that are referred, by the court, at the presentence stage, for assessment of level of offender risk and substance addiction measures but do not ultimately receive a SB 123 imposed sentence as well as those whose sentence is under the provisions of SB 123. As of November 1, 2005, 16.8% of the SB 123 related cases (n=446) were "presentence" cases whereas 83.2% (n=2207) cases had received SB 123 sentences.

The number of SB 123 related cases began very slowly but has gained momentum as the program has moved to a more mature stage. We do not, however, anticipate that the growth of the program has topped out although we do expect that the rate of growth has leveled out and may be decelerating to some degree. The rate of growth in the average number of SB 123-related cases between FY 2004 and FY 2005 is 84%; the rate of growth in the average number of SB 123-related cases between FY 2005 and FY 2006 (through November 1, 2005), is 63%.

- During FY 2004, the program was operational for a total of eight months (November 1, 2003 through June 30, 2004).
 - Through these eight months, a total of 505 cases were related to SB 123
 - 63 (12.5%) of these were presentence cases whereas
 - 442 (87.5%) reached a SB 123 sentence imposition.
 - For FY 2004, these 505 cases represent an average number of cases of 63 per month.
- During FY 2005, the program was operational for a total of 12 months.
 - Through these twelve months, a total of 1391 cases were related to SB 123
 - 136 (9.8%) of these were presentence cases whereas
 - 1255 (90.2%) reached a SB 123 sentence imposition.
 - For FY 2005, these 1391 cases represent an average number of cases of 116 per month.
- During FY 2006, through November 1, 2005 the program has been operational for four months.
 - Through these four months, 757 cases were related to SB 123.
 - 247 (32.6%) presently reside at the presentence stage. (note that sentencing may be forthcoming on some portion of these cases may achieve a SB 123

From program inception through November 1, 2005, 2207 (83.2%) of the SB 123 related cases had been sentenced under the provisions of this policy whereas 446 (16.8%) were at the presentence stage. About half of the presentence cases (247 out of 446 or 55.4%) are FY 2006 cases and may still move to a post sentence status in the coming months.

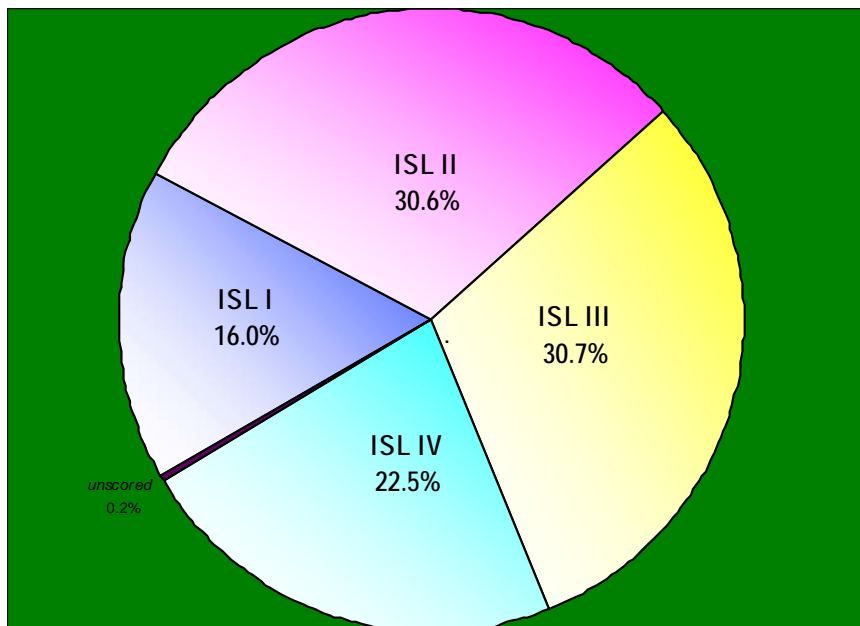
Case Closure Reason	# of Closed Cases	% of Closed Cases
Not Sentenced to Community Corrections	165	27.0%
Unsuccessful closure by court	34	5.6%
<i>Court Closure due to other factors: Subtotal</i>	199	32.6%
Case closed due to offender death	6	1.0%
Successful Case Closure	226	37.0%
Revoked: Condition Violation	157	25.7%
Revoked: New Felony	17	2.8%
Revoked: New Misd.	4	0.7%
<i>Revoked: Subtotal</i>	178	29.2%
Unknown ("blank")	1	0.2%
TOTAL	610	100.0%

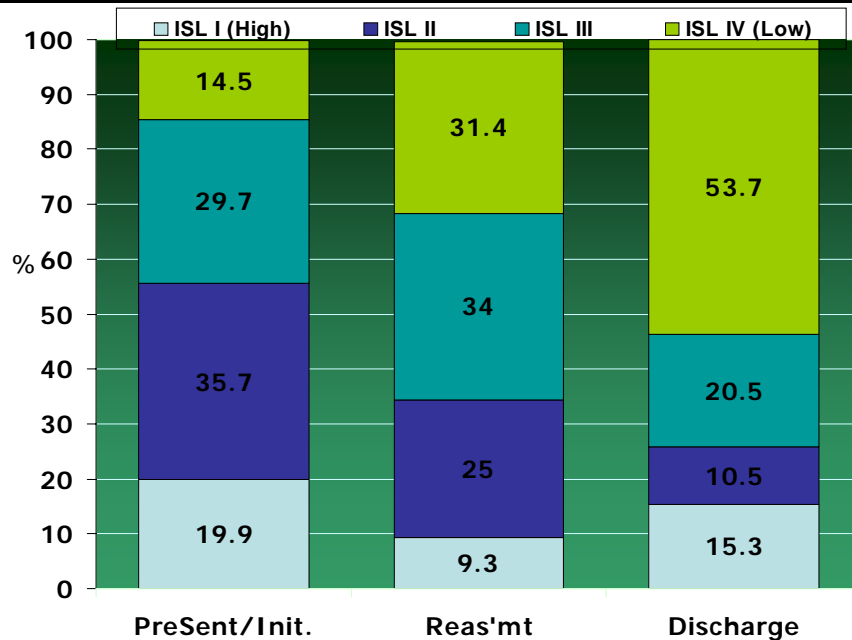
Offender Risk of Reoffense

Offenders with a SB 123 related case are assessed, typically at the presentence stage, for risk of reoffense using the LSI-R © ("Level of Services Inventory – Revised ©). Offenders who receive a SB 123 sentence, also receive LSI-R© assessments during their supervision by Community Corrections. In the two years since SB 123 implementation, 3395 LSI-R© have been performed on this group of offenders. The score on the LSI-R© instrument is then used by Community Corrections to determine the level of supervision an offender needs while in the community.

For the total 3395 LSI-R©s completed on SB 123 cases, 16% (n=544) scored out at Intensive Supervision Level I – the highest level of Community Corrections supervision, 30.6% (n=1038) scored at Intensive Supervision Level II, 30.7% (n=1042) scored at Intensive Supervision Level III, and 22.5% (n=764) scored at Intensive Supervision Level IV – the lowest level of Community Corrections supervision. When this data was extracted, there were also 7 LSI-R©s (0.2%) that were in the process of being completed thus

had no supervision level associated with them yet.





Of the total 3395 LSI-R©s, 2039 or 60.1% were completed at the Presentence or Initial stage, 1166 or 34.3% were completed during a reassessment and 190 or 5.6% were completed at the offender's discharge from his/her SB 123 sentence. The LSI-R© provides a means by which we can say, from the employment of a standardized, validated risk/needs instrument, that offenders are progressing positively during their SB 123 sentence.

As illustrated in the graphic, the proportion of offenders scoring at Intensive

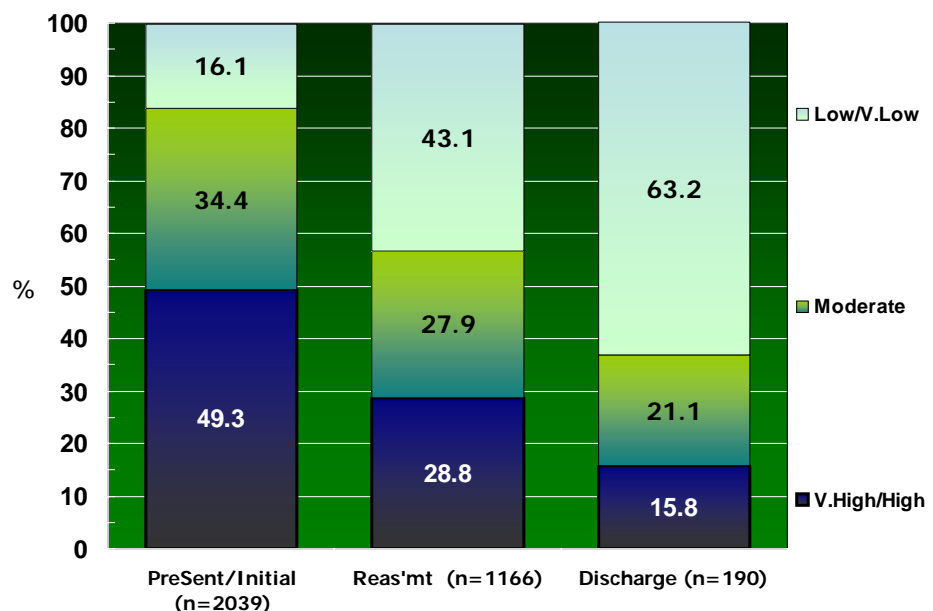
Supervision Level IV, the lowest level of supervision for Community Corrections, increases from 14.5% at the Presentence/Initial stage to over half (53.7%) at discharge. This change reflects nearly a 40% point increase in offenders scoring at the lowest level of supervision as they move through the SB 123 sentence.

Level of Risk within the Alcohol/Drug Domain

The LSI-R© also provides the ability to examine specific domains which contribute to the offenders' overall risk of reoffense. Of particular interest for SB 123 offenders is the Alcohol/Drug domain. Again, positive results can be demonstrated thus far. The proportion of offenders scoring low or very low on the Alcohol/Drug subscale increases from 16.1% at the presentence stage to 63.2% at discharge.

Correspondingly, the proportion scoring High or Very High decreases from 49.3% at the presentence stage to 15.8% at the discharge stage. Thus, as a group, there is a marked reduction in offender risk of reoffense as demonstrated by the Alcohol/Drug domain within the LSI-R© for offenders who are associated with SB 123.

A cautionary note is required at this point. These numbers are preliminary. The



program has been operational for only 2 years and experienced a slow program start-up. Thus, the number of offenders moving to the discharge stage is also small. While these results are *indicative* of very positive program performance, they cannot, at this time, be considered conclusive evidence of program effectiveness. More time is required to move more offenders through the entire SB 123 program before solid assessment of program outcome performance can be measured.

Substance Abuse Treatment Intervention Activity

There have been a total of 8470 substance abuse treatment interventions logged for SB 123 related offenders in the first two years of program operation. This averages 353 substance abuse treatment intervention referrals per month over this timeframe. There are 2288 unique offenders for whom these interventions have been made. This results in an average of 3.7 substance abuse treatment interventions per person.

This number, similar to the number of cases, has increased fairly substantially since program inception. During the first 8 months of program implementation (i.e., during Fiscal Year 2004), there were 1510 substance abuse treatment interventions. This results in an average referral rate of 189 per month during Fiscal Year 2004. During the 12 months of Fiscal Year 2005, there were a total of 5116 substance abuse treatment interventions for SB 123 offenders. This results in an average referral rate of 426 per month. During the first 4 months of Fiscal Year 2006 (i.e., July, August, September, October, 2005), there were a total of 1844 substance abuse treatment interventions for this offender population. Thus, the referral rate for FY 2006 averages 461 per month. The following table details the types of substance abuse treatment interventions by Fiscal Year during the first two years of SB 123 program operation.

Substance Abuse Treatment Intervention Terminations

Of the 8470 substance abuse treatment interventions logged for offenders sentenced with (or at presentence status with) a 2003-SB 123 case, 71% (6014 interventions) have been closed or terminated; 2456 or 29% of the substance abuse interventions remained open at the two-year post-implementation point. Of those interventions that terminated, 2044 terminated as "successful" – 2036 were successful termination from the initial drug abuse assessment, 1008 were successful terminations of the "package" of SB 123 treatment interventions making up the needs of the offender sentenced on a SB 123 case. 726 interventions terminated as "intentional non-compliance" on the part of the offender. 1761 substance abuse interventions terminated by the offender changing treatment modality into a more or less intensive type of treatment (of those treatment modalities authorized under SB 123).

Care must be taken in review of this data as it represents substance abuse treatment intervention terminations and NOT terminations of individuals (for example, there were not 726 offenders who had intentional non-compliance). The detail of the terminations of the SB 123 substance abuse treatment interventions are detailed in the following table.

SB 123 Substance Abuse Treatment Interventions By Modality within Fiscal Year of Referral Two Years From Program Inception November 1, 2003 through October 31, 2005

source: TOADS Interventions 10/31/05 pb/ksc; mm/kdoc

	FY of Referral			TOTAL
	FY 2004	FY 2005	FY 2006	
ASSESSMENT	567	1284	461	2312
SOCIAL DETOX	6	54	13	73
DRUG ABUSE EDUCATION	35	46	11	92
RE-INTEGRATION (*)	30	177	97	304
INTERMEDIATE/RESIDENTIAL	115	472	206	793
THERAPEUTIC COMMUNITY	4	12	3	19
<i>Inpatient: Subtotals</i>	<i>119</i>	<i>484</i>	<i>209</i>	<i>812</i>
DAY TREATMENT (**)	2	19	9	30
INTENSIVE OUTPATIENT	96	419	136	651
OUTPATIENT - FAMILY	8	64	35	107
OUTPATIENT - GROUP	279	1014	282	1575
OUTPATIENT - INDIVIDUAL	263	968	336	1567
<i>Outpatient: Subtotals</i>	<i>648</i>	<i>2484</i>	<i>798</i>	<i>3930</i>
RELAPSE PREVEN./Continuing Care	66	481	201	748
Miscellaneous (>95% are Support Group)	39	106	54	199
TOTAL	1510	5116	1844	8470
% Total Interventions Referrals to date	17.8%	60.4%	21.8%	100.0%

**SB 123 Substance Abuse Treatment Interventions
By Termination Reason
Two Years From Program Inception
November 1, 2003 through October 31, 2005**

source: TOADS Interventions 10/31/05 pb/ksc; mm/kdoc file

	#	% of Termin. Reason	% Total Interventions Terminated ("Closed")	% Total Interventions Remaining Open
ADMINISTRATIVE	436	7.2%		
CHANGED MODALITY - LESS INTENSIVE	1129	18.8%		
CHANGED MODALITY - MORE INTENSIVE	632	10.5%		
DEATH	7	0.1%		
ENGAGED AT TIME OF DISCHARGE	1	0.0%		
INTENTIONAL NON-COMPLIANCE	726	12.1%		
MEDICAL	22	0.4%		
REACHED MAXIMUM BENEFITS	1	0.0%		
REFUSED TO COMPLY WITH PROGRAM RULES	14	0.2%		
REFUSED TO ENTER PROGRAM	2	0.0%		
SUCCESSFUL ASSESSMENT COMPLETION	2036	33.9%		
SUCCESSFUL COMPLETION OF SB123 TREATMENT	1008	16.8%		
Subtotal: Terminations	6014		71.0%	
Interventions remaining open 10/31/05	2456			29.0%
TOTAL INTERVENTIONS		8470		

Substance Abuse Treatment Expenditures

In the two year time period from implementation through October 31, 2005, a total of \$8,073,952.70 was expended on treatment services (based on service rendered date – not on a cash flow basis). Of this amount, just under \$1,000,000 was expended during the eight months of FY 2004, just over \$5,000,000 was expended for services delivered in the full FY 2005 time period, and the remaining approximate \$2.2 million was expended for services delivered in the first four months of FY 2006. The table that follows presents this information in further detail along with a month-by-month expenditure assessment.

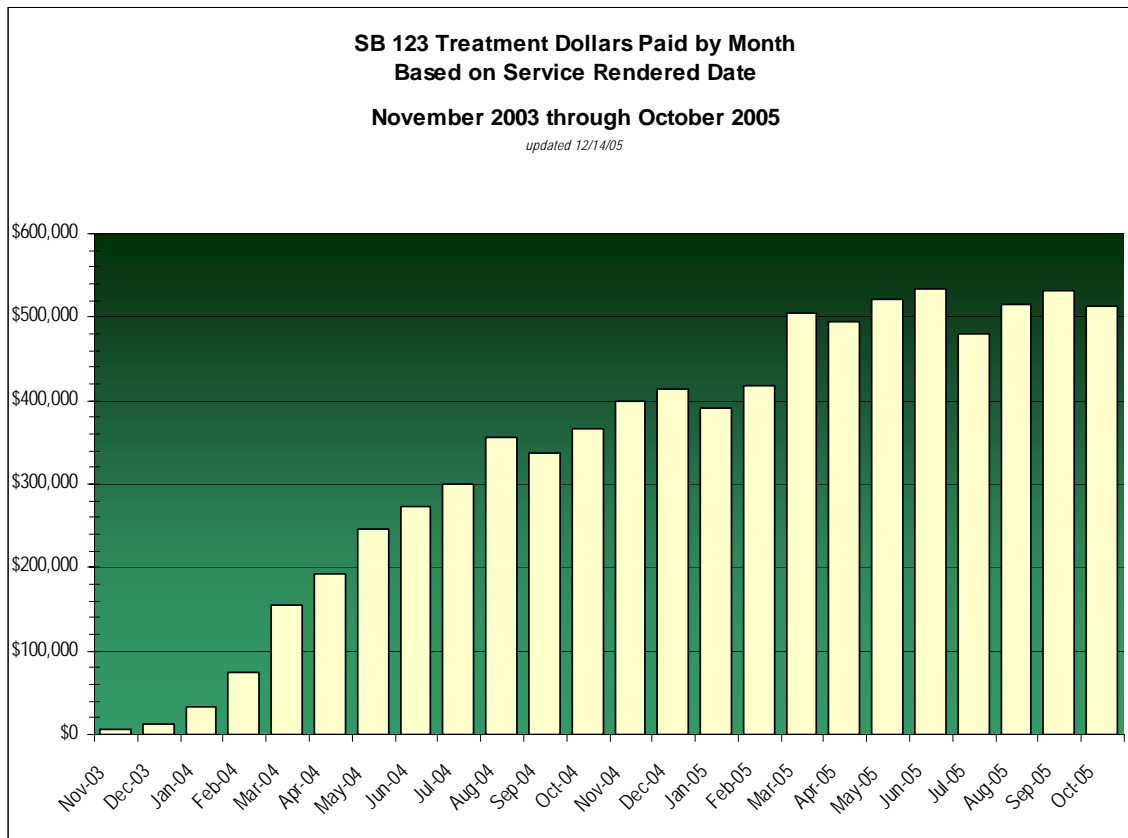
SB 123 Treatment Expenditures

updated through 12/14/05 pb/ksc

SB 123 Treatment Monthly Dollar Expenditures
Based on Date Services Rendered
November 2003 - November 2005

FY 2004		FY 2005		FY 2006	
<u>Mon-Yr</u>	<u>Dollars Paid</u>	<u>Mon-Yr</u>	<u>Dollars Paid</u>	<u>Mon-Yr</u>	<u>Dollars Paid</u>
		Jul-04	\$299,886.75	Jul-05	\$480,777.00
		Aug-04	\$355,835.00	Aug-05	\$514,609.25
		Sep-04	\$337,350.50	Sep-05	\$532,214.25
		Oct-04	\$365,477.00	Oct-05	\$513,138.50
Nov-03	\$5,960.00	Nov-04	\$399,255.50	Nov-05	\$156,608.00
Dec-03	\$13,290.00	Dec-04	\$414,595.00	Dec-05	
Jan-04	\$32,916.75	Jan-05	\$391,808.19	Jan-06	
Feb-04	\$74,774.00	Feb-05	\$418,092.06	Feb-06	
Mar-04	\$155,074.75	Mar-05	\$505,344.20	Mar-06	
Apr-04	\$192,452.00	Apr-05	\$495,288.25	Apr-06	
May-04	\$246,979.25	May-05	\$521,400.00	May-06	
Jun-04	\$274,093.50	Jun-05	\$533,341.00	Jun-06	
Dollar Expenditure based on	\$995,540.25	\$5,037,673.45	\$2,197,347.00 through today (12/14/05)		
Service Rendered Date within Each			\$2,040,739.00 through end of Oct (2 years)		
FY					
Total Expenditures - based on Services Rendered Date - 2 Year Post-Implementation (i.e., 11/01/03 - 10/31/05):					\$8,073,952.70

The month-by-month pattern here also demonstrates the slow beginnings of the programs with its more recent increases. Graphically, this information is presented in the following chart.



SB 123 Evaluations

Evaluations of the 2003 SB 123 program are required at 18 months, 36 months, and 60 months post-implementation. The 18 month post implementation evaluation focuses on the effectiveness and efficiency of the actual implementation of the program. The Sentencing Commission, along with the Department of Corrections, were key players in the program's implementation and, as such, it is inappropriate for the Sentencing Commission to evaluate that work. To obtain objectivity and remove perceived bias, the 18-month post implementation evaluation has been contracted to the Vera Institute of Justice. Vera has been to Kansas to interview individuals comprising key stakeholder groups and has obtained multiple data sets on SB 123. These sources form the basis of Vera's assessment of the SB 123 program's implementation. Although preliminary results were hoped for prior to the publication of this report, those results are not yet available. Once those results are available, they will be posted on the Commission's web site (<http://www.kansas.gov/ksc>).

Future evaluations will focus on process (output) measures and on outcome (effectiveness) measures. Each periodic evaluation will build upon and refine prior evaluations. In this way, the SB 123 evaluative efforts follow the protocols recommended for solid programmatic evaluations.

III. 2006 Adult Inmate Population Projections

In accordance with K.S.A. 74-9101 (b) (15), the Sentencing Commission produces an official inmate population projection annually. This year's adult prison population projection is displayed in table and graphic forms on the following pages.

FY 2006 projections indicate that the state's prison population will increase by 703 or 7.77% over the ten-year forecast period. This compares to the ten year increase expected from the FY 2005 projection model of 1,339 or inmates or 14.6% over the ten-year forecast period. The major difference in the two models is found in (a) differences between FY 2004 and FY 2005 actual experience and data and (b) differences in assumptions in the model's foundation – in particular the assumption regarding growth of new commitments decreased between FY 2005 model and the FY 2006 model where the FY 2005 model used a growth rate of 1.5% and the present projection model uses a 1.2% growth rate. While the absolute difference between these two growth rates is not large, recognition must be made that there is a "compounding" effect in that the growth rate is an annual rate that is repeated throughout the ten-years of the simulation.

According to the present model, prison population is expected to grow to reach 9749 at the end of FY 2016 (i.e., June 30, 2015). While we anticipate a net growth in the model of 703, the majority of the growth will be seen in the most serious severity levels of offenses. In particular, growth of Non-drug severity level 1 offenders is anticipated at 23.3% or a net increase of 182; non-drug severity level 3 is estimated to grow by 170 or 12.7% and the "off grid" severity levels are projected to grow by 10.8% or 75 offenders over the coming ten years.

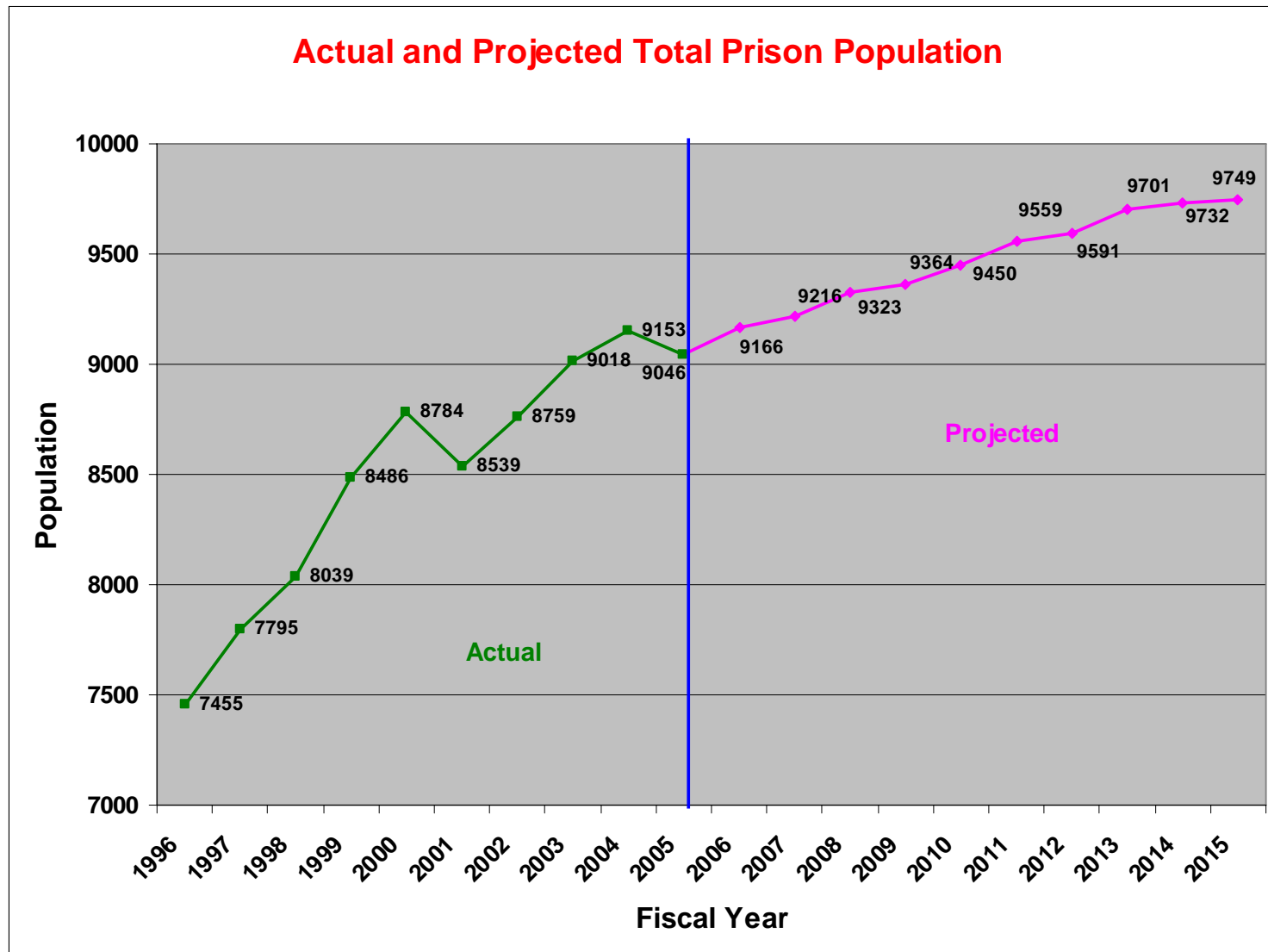
Taken together, off grid, N-1, N-2, and N-3 will contribute 454, or 64.6%, of the projected 703 increase of the offender population over the projection horizon.

By contrast, the last several years have shown a trend whereby the number of probation condition violators admitted to prison has seen steady increases. Nondrug severity levels 7, 8, 9, and 10 are, in the aggregate, expected to increase by 126 over the next ten years. Of the total 703 additional prison beds estimated to be used by the end of FY 2016, probation condition violators from the nondrug grid will account for approximately 18% of that increase. One of the multiple goals of sentencing guidelines is to reserve prison beds for consumption by the most serious, violent offenders. This continuing growth in probation condition violators does not fit squarely within the parameters of that goal.

A full copy of the Adult Inmate Prison Population Projection can be obtained by contacting the Commission office or via the internet at <http://www.kansas.gov.ksc/>

III. 2006 Adult Inmate Population Projections

Severity Level	June 30 2005*	June 30 2006	June 30 2007	June 30 2008	June 30 2009	June 30 2010	June 30 2011	June 30 2012	June 30 2013	June 30 2014	June 30 2015	Total # Increase	% Increase
D1	635	595	579	560	563	564	562	548	525	524	508	-127	-20.0%
D2	303	248	243	229	228	235	224	230	231	224	235	-68	-22.4%
D3	452	465	459	471	461	468	490	492	509	528	524	72	15.9%
D4	578	605	685	728	736	763	751	755	768	776	773	195	33.7%
N1	765	792	805	823	855	875	885	900	914	935	947	182	23.8%
N2	454	459	461	468	482	488	484	489	479	476	481	27	5.9%
N3	1337	1337	1352	1355	1379	1387	1404	1424	1445	1468	1507	170	12.7%
N4	265	247	253	265	262	273	278	287	288	287	294	29	10.9%
N5	993	989	960	954	956	977	993	978	968	994	950	-43	-4.3%
N6	147	144	149	145	155	158	139	152	151	168	161	14	9.5%
N7	817	851	874	899	850	837	821	843	867	839	858	41	5.0%
N8	232	261	256	266	253	245	264	270	308	279	262	30	12.9%
N9	268	293	271	289	294	294	313	290	319	306	297	29	10.8%
N10	44	59	67	61	69	77	71	70	71	71	70	26	59.1%
OFF GRID	697	716	723	738	739	736	747	748	748	763	772	75	10.8%
Condition Parole/PIS Violators	1059	1105	1079	1072	1082	1073	1133	1115	1110	1094	1110	51	4.8%
Total	9046	9166	9216	9323	9364	9450	9559	9591	9701	9732	9749	703	7.8%



IV. Juvenile Facility Population Projections

Although not required by statutory obligation, the Sentencing Commission produces projections for the Juvenile Justice Facility population. This projection, similar to the adult incarcerated model, spans a ten-year time horizon. The juvenile model is, however, built specifically for the Kansas Juvenile Justice Authority and is based on their data and assumptions generated through a consensus group. Such data was received by the Commission staff, analyzed, and results of such analysis presented before members of JJA staff for their review.

Following review and additional reflection regarding the Commission's analysis of JJA's FY 2005 data, it was brought to the attention of the Sentencing Commission that the incarcerated population of JJA was approximately 418 by October 20, 2005. This marked a decrease of 72 from the end of the fiscal year 2005 population of 490 – or approximately a 14.7% reduction in incarcerated population in less than a four-month period of time.

As discussion progressed, the Commissioner and his staff indicated that new policies and practices were being put in place within the JJA system and that these changes were the major impetus in the population reduction.

Although these changes can be classified as necessary system improvements, they create challenges in that they render the FY 2005 data unrepresentative of anticipated future patterns of practice and policy. Sentencing Commission decided to request a supplemental data file extraction to reflect changes evident within the three month time period July to September 2005.

Present State of JJA Projections

The incarcerated population projections require input of 12 months' data, plus valid assumptions, to generate valid projections. At the present time, we have available 12 months of FY 2005 data that is no longer indicative of policies and practices and 3 months of data reflective of "system adjustments" which demonstrate changes but do not reflect any period of reliable stabilization. As such, no valid and reliable 12 month set of information exists presently upon which valid and reliable population projections can be built.

In the alternative, the Commissioner and I have discussed the merits inherent in a strategy whereby the current fiscal year will be spent developing a foundation for reporting both on a fiscal-year basis and on a monthly basis characteristics of the incarcerated population, sources of incarceration growth or decline, assessment of reporting accuracies, and the like.

It is, therefore, with regret that valid and accurate JJA projections for the FY 2006 – FY 2015 timeframe are not attainable. Nevertheless, staff from the Commission and staff of JJA are working on the foundations required for building good projections in the future. Members of both staff continue to monitor the juvenile incarcerated population and are working toward more reliable protocols for data file extraction. Additional information that will be provided between the two agencies includes involvement or notification of major policy changes. These investments of time and staffing resources will pay off in valid and reliable future projection abilities for the JJA system.

V. Johnson County Pilot Project Overview: Standardized Dynamic Offender Risk/Needs Assessment

The Kansas Sentencing Commission formed a work group in the fall of 2002 to address the possibility of implementing a dynamic risk/needs assessment instrument across agencies in one targeted area in Kansas. In November 2002, members of the work group met with representatives of Johnson County community corrections, probation and parole.

Agreement was reached to pilot the LSI-R (Level of Services Inventory-Revised, developed by Don Andrews, Ph.D. & James Bonta, Ph.D. and marketed through Multi-Health Systems, Inc, who hold the copyright). The LSI-R© inventory is a quantitative survey of attributes of offenders and their situations relevant to level of supervision and treatment decisions. Designed for ages 16 and older, the LSI-R© inventory helps predict parole outcome, success in correctional halfway houses, institutional misconducts, and recidivism. The 54 items are based on legal requirements and include relevant factors needed for making decisions about risk and treatment. The Johnson County agencies agreed to pursue this project together.

PROJECT DESCRIPTION AND UPDATE

Three years have passed since the staff of the 10th Judicial District Court Services and Community Corrections offices initiated training in December 2002 on the use of the LSI-R©. By July of 2003, all felony cases were being assessed with the LSI-R© tool prior to sentencing. Dr. Alex Holsinger, of the University of Missouri-Kansas City, has consulted with the Johnson County pilot project to provide technical assistance and initial data analysis.

Implementation of the LSI-R tool include the following observations and strategies:

Court Services and Community Corrections worked very closely on this project. Interoffice relationships have improved as a result and they now hold regular meetings to discuss all case-related issues between the two offices.

Initially, all staff were trained to complete the LSI-R© assessments, but it became evident that some staff were more skilled than others in interviewing and that for purposes of creating consistency, a smaller team of interviewers was deemed as desirable. Therefore, each office created a team of interviewers and case assignments are split between the two offices. Court Services has since implemented the use of the tool with misdemeanor cases used as a post-sentencing tool. Therefore, all Court Services staff remain current in the usage of the tool.

Initial concerns were that the interview process would be a huge time burden on staff. The Johnson County pilot participants report that an average amount of time spent in an interview is 30-45 minutes with an additional 15 minutes for scoring and paperwork. This amount of time is not much longer than most initial interviews had been prior to use of the LSI-R©.

Local policy was implemented for the supervising officers to set up a supervision plan that addressed the three top scoring domains of the offender. This has allowed the supervising officer to concentrate on these key areas. A chart of options has been developed so that supervising officers apply the proper requirement based on the need. Offenders are less overwhelmed as they no longer have to complete programming that does not apply to their need areas. In the past a judge may have always ordered an education class be completed and now it would only be expected if the LSI-R© indicates the need for this intervention. A few domains, such as companions and leisure time, are difficult to develop a plan around.

Local policy based on a data study by Dr. Holsinger set cut-off s for offenders with scores of 0-16 remaining with Court Services, offenders with scores of 17-32 assigned to ISP, and offenders

with scores of 33 and above considered for the Residential Center, Labette, or the Therapeutic Community.

While employment of this tool has been successful overall, one reported complaint is that offenders can be, and sometimes are, coached to minimize their answers during the LSI-R© interview. It is felt that if the tool was used post-sentencing, the defense bar would not feel as obligated to do this coaching and more truthful interviews would be completed.

DIRECTION

The Sentencing Commission recognizes the success of the Johnson County pilot project with the LSI-R© that has been realized to date. While the pilot project is working well in Johnson County, there are several more technical items that must be focused on and resolved prior to suggesting implementation statewide. Included here are issues such as the pilot project focusing and recording the “top three” domains whereas all domains should be tracked and recorded. Also, Johnson County is recording data into the Multi Health Systems information system. This has resulted in a diminished ability to track offenders assigned to Community Corrections versus those assigned to Court Services. All data should, instead, be recorded into a Kansas-based information system so as to facilitate future analyses and resource planning efforts. The Kansas Criminal Justice Information System (KCJIS) may be the appropriate venue for such data collection and maintenance. The pilot project was designed to use the results of an initial LSI-R© used for assignment to supervision by Court Services or Community Corrections. This should be expanded such that reassessments are conducted to measure intermediate offender performance. Further, standards need to be developed for a wider deployment and use of the LSI-R© tool.

For these reasons, the Sentencing Commission supports an extension of the sunset provision of the pilot project.

Further, the Sentencing Commission also supports a state-wide roll out of a standardized risk/needs instrument for offenders under community supervision by Court Services or Community Corrections. It is our recommendation that such instrument be specified by the Sentencing Commission and that, at present and based upon the initial positive results of the Johnson County pilot project, such instrument should be the LSI-R©.

VI Future Directions and Changing Landscape

Several developing and evolving processes and discussions are coalescing presently. Taken individually or collectively, these initiatives hold the potential to change the landscape and environment in which the Sentencing Commission operates. More specifically, these efforts position the Sentencing Commission as an evaluator of many of the criminal justice and justice reinvestment projects proposed by multiple stakeholder groups.

2003 - SB 123

Duties assigned to the Commission staff under 2003-SB 123 have been staffed with very little change in the number of staff available within the office. However, with the increase in the number of cases under SB 123 and the mounting responsibilities in conjunction with the operation of the program, additional staffing is becoming critical. Outlined below are the functional areas in relation to SB 123 that are performed by the Commission staff. Note that one staff position is shared between the KSC office budget/fiscal function and some SB 123 function; one staff position to pay bills was added through community corrections supervision funding shifted from the Department of Corrections to the Sentencing Commission when the Community Corrections agencies requested the Commission staff to pay invoices centrally; and one invoice payment position was funded through receipt of funds from the program. No other staff have been added to the agency. Present staffing patterns are insufficient to continue experienced growth well into the future.

ADMINISTRATION. Staff from the Commission have, in conjunction with some Department of Corrections staff, become responsible for much of the administrative functions of 2003-SB 123. Such administrative issues that the Commission staff are responsible for include the development of policies and procedures for SB 123 operations, publication of the Operations Manual, monitoring the progress of the program, answering questions related to the imposition of 2003-SB 123 sentences, and reporting on the progress of the program to a vast number of stakeholder groups across the state.

BUDGETING FUNCTION AND CENTRALIZED BILL PAYMENT. The Commission staff have also become responsible for serving as the centralized bill payment center for substance abuse treatment services delivered under the provisions of 2003-SB 123. During FY 2005, there were a total of 7815 invoices for treatment services paid by two staff members of the Commission. Receipts into the program from insurance proceeds and offender reimbursement are also tracked and reported by Commission staff. Additionally, the Commission staff have become responsible for projections related to the anticipated future budgetary needs for the SB 123 treatment.

EVALUATION EFFORTS. On the treatment/rehabilitative-side, 2003-SB 123 continues to show promise however, an evaluation of the outcomes related to the implementation of this project cannot be measured for at least another year. This program requires a sentence of up to 18 months of community-based supervision through Community Corrections and drug treatment through a certified treatment provider, and the offender cohort used for evaluative analysis requires between 12 and 18 months post-sentence completion before any determination of program success can be measured. Given the November 1, 2003 implementation date, the first cohort of offenders will not be 18 months post-sentence completion until November, 2006. That cohort, however, numbers only 12 offenders – too few to determine program efficacy with any reliability. There were in FY 2004 a total of 439 SB 123 sentences imposed across the state. This cohort will have sufficient time for consideration in an outcome analysis by June 2007. It is estimated that 4-6 additional months would be required for performing the required analyses and writing the evaluative report.

Nonetheless, the staff of the Commission continue to monitor the progress of the program and continue to generate and refine output measures and measures indicative of more intermediate outcomes. Also, the Vera Institute of Justice has been contracted to perform the 18

month post implementation evaluation that focuses on program implementation. Such report was hoped to be available for inclusion in this report but it has not yet been completed by the contractor.

THE KANSAS CRIMINAL JUSTICE RECODIFICATION, REHABILITATION, AND RESTORATION PROJECT.

2004-SB 45 created the Kansas criminal justice recodification, rehabilitation and restoration project. This project, commonly known as the "Criminal Justice 3-R's," also has the potential to shift some of the direction for the environment within which the Sentencing Commission operates. The 3-R's project has three subcommittees dealing with (a) recodification of the Kansas criminal code, (b) behavioral and mental health, and (c) reentry policies. In recent months, discussion has been underway with consultants from the Council of State Governments regarding the Commission staff serving as evaluators of the reentry policies. Additional staffing in this regard has been requested to facilitate such function.

WYANDOTTE COUNTY REENTRY PROGRAM. The Kansas Department of Corrections, in partnership with the Kansas City Kansas Community College, United Way of Wyandotte County, Kansas, Kansas City Kansas Area Chamber of Commerce, and Connect the Dottes, conducted community meetings in Wyandotte County on offender reentry, in January and March of 2004. From these meetings a Steering Committee was formed, from community members, to review offender reentry. This Steering Committee met to develop a reentry model for Wyandotte County, that would take into consideration the unique needs and resources of the community. The proposed model works from the following key principles:

- There are many services and resources in Wyandotte County; the goal of this model is to establish a bridge to span between correctional facilities/offenders and these services, rather than reinventing or establishing duplicate services.
- Returning offenders impact the community, and are part of the overall picture of offenders in the community. Any reentry planning should involve the community, and should take into consideration issues surrounding offenders who remain in the community, offenders in the jail, and the impact on the entire community. Practices should be identified and implemented that ensure an active voice of the community, and that ensures through a joint effort by the state and local governments that resources for offenders are deployed effectively and efficiently.
- The committee strongly recommends a shared and joint effort by the Wyandotte County Unified Government and State of Kansas in implementing and carrying out this model, in the context of and as part of the overall management of offenders in the Wyandotte County community. Thus, work underway in the community regarding jail expansion and work with offenders who remain in the community should dovetail with work done to implement this model. Services should be shared, resources should be combined, and all agencies working with offenders in the community in any capacity should work together.

Overview of the Model

The proposed Wyandotte County Reentry Program will serve 150 moderate-to-high-risk offenders scheduled for release to Wyandotte County. General referral and information services will be available to all returning offenders. However, the higher risk offenders will be on the caseloads of the reentry case managers who will work with them closely to prepare for release and as they return to the community.

These areas of needs by offenders cause them to be at greater risk for returning to criminal behavior, harming someone in the community, and returning to prison. By assessing and targeting risk and need attributes of offenders, and preparing comprehensive release plans to address these issues, in close partnership with the community, this model will enhance community safety by reducing the risk of these returning offenders.

The proposed model is based on research and best practices, and the experience of Ft. Wayne, Indiana and Topeka/Shawnee County, Kansas in developing a model for returning offenders. The Shawnee County Reentry Program is one of the 68 sites for the Serious and Violent Offender Reentry Initiative, which involves a federal grant initiative designed to enable jurisdictions to develop comprehensive, effective models for community-based reentry programs. The Ft. Wayne, Indiana program was one of eight sites in the country used to design this federal initiative. Research indicates that targeting risk factors of returning offenders, and providing services, support and accountability to reduce risk, enhances community safety by reducing the likelihood the offenders will engage in further criminal behavior.

OFFENDER RISK REDUCTION: IMPLEMENTATION OF THE LEVEL OF SERVICES INVENTORY-REVISED AND CASE MANAGEMENT STRATEGIES. As discussed in section VI of this report, Johnson County continues their pilot work in the implementation of the Level of Services Inventory-Revised (LSI-R) across Court Services and Community Corrections within the 10th Judicial District. Paralleling this effort, the Department of Corrections has begun using the LSI-R for offenders on post-incarceration supervision and is working toward use of the LSI-R for offenders upon entrance through the Reception and Diagnostic Unit. Use of this instrument allows for more individualized case management of the offender based on the pattern of risks and needs that s/he presents. Further, use of the LSI-R on offender population through the continuum of contact with various levels of supervision and custody (i.e., court services, community corrections, incarceration, and post-incarceration supervision (“*parole*”)), will allow the officer to tailor interventions and tactics to the specific offender and, ultimately, reduce the probability of incarceration or reincarceration by reduction in the risk. The Commission has talked with the staff regarding potential staff involvement in a future, potential state-wide roll out of the LSI-R© risk/needs instrument.

Should the Johnson County project be “rolled out” to other jurisdictions, a plan for such action will need to be developed, funding will have to be appropriated, staffing would be required to train and monitor the quality of the instrument’s deployment, training on the administration of the instrument will have to be conducted, and an implementation scheduled would need to be developed. Additionally, efforts would be required to modify and update computer software programs to accommodate the LSI-R instrument in various jurisdictions across the state. This project will need, at a minimum, a strong project manager and a program consultant with a focus on uniform deployment, evaluation, and related data collection from the position of the Commission staff.

PRESENT PRISON CAPACITY. The Kansas Department of Corrections has capacity of 9,357. By the end of FY 2009, projected aggregate prison population is expected to reach 9364 or 7 over presently available capacity. This projection is based upon the laws, policies, and practices in place, and the data reflective of these, combined with some assumptions regarding growth rates (also based on historical observation) as was available early in Fiscal Year 2006 (August, 2005). Any changes that result from the initiatives described above, as well as other changes about which the Commission or Commission staff may not be aware presently, can alter the population projection.

One reflection, however, which has been consistent over the past several years with regard to the projected adult prison population, is that growth is expected in this population. As noted in Section III of this report, the severity levels generating the long-term growth in the prison population include the more serious levels of offenses.

As the following graphic demonstrates, this long-run pattern of growth has been anticipated in the projection models developed over the last several years. The projects described in this section, however, hold the potential to alter the magnitude of increase expected in the adult incarcerated population such that incarceration continues to be reserved for the serious, violent offender thereby increasing the safety of the citizens of Kansas.

